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UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

February 28, 2024

Nathan Ochsner, Clerk of Court

United States of America

v.

Darcy Randall TRETT

Case No. **4:24-mj-0088**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 20, 2023 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 U.S. Code § 2252A(a)(1)

Transporting Child Pornography in Interstate or Foreign Commerce

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.


Complainant's signature

Lydia N. Wilkens-Reed, Special Agent, HSI

Printed name and title

Sworn to before me telephonically.

Date: 02/28/2024City and state: Houston, Texas


Judge's signature

Honorable Yvonne Y. Ho, U.S. Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

AFFADAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Lydia N. Wilkens-Reed, being duly sworn, depose and state:

1. I am a Special Agent with the Department of Homeland Security, Homeland Security Investigations (HSI), assigned to the Office of the Special Agent in Charge, Houston, Texas. I have been employed by Immigration & Customs Enforcement (ICE), Homeland Security Investigations (HSI), as an HSI agent since July 2022. I am currently assigned to the Child Exploitation Group, and as part of my daily duties as an HSI agent assigned to this group, I investigate criminal violations relating to child exploitation and child pornography including violations of Chapter 109A, Chapter 110 and Chapter 117, all contained within Title 18 of the United States Code. I have received training in the area of child pornography and child exploitation. I have also participated in the execution of search warrants and arrest warrants; a number of which involved child exploitation and child pornography offenses.

2. This affidavit is based on reports your affiant has read and conversations your affiant has had with law enforcement officers and investigators involved in this investigation. This affidavit does not set forth all of my knowledge in this matter, but is intended only to show that there is probable cause to believe that Darcy Randall TRETT is in violation of **Title 18 USC 2252A(a)(1)**, anyone who knowingly mails, or transports or ships using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer, any child pornography.

3. On December 20, 2023, HSI Special Agent Raul Silva (“SA Silva”) received a request for assistance from Customs and Border Protection Officers (CBPOs) at George Bush Intercontinental Airport, Houston, Texas (“IAH”) regarding an arriving passenger who was suspected of possessing child pornography in violation of federal law.

4. CBPO Salmon Ponapart and CBPO Melody Williams informed Airport Group SA Silva an individual identified as Darcy Randall TREETT had entered the United States aboard United Airlines (UA) flight #47 from Frankfurt, Germany. A CBPO located a law enforcement record indicating TREETT was suspected of possessing child pornography and referred him to secondary inspection for further investigation.

5. CBPO Ponapart and CBPO Williams, during a border search of TREETT’s iPhone 14 Pro Max, found a video of child pornography which was located on the device (“Video 1”).

The following is a description of Video 1—title: “attachment.mov” – This approximately ten minute two second video depicted a fully nude prepubescent Caucasian male approximately 10 to 12 years of age. The prepubescent male is in a bathtub filled with water. The prepubescent male is observed digitally penetrating and stimulating his anus.

6. The CBPOs, as part of their secondary inspection, questioned TREETT about his recent travels abroad.

7. TREETT claimed he was visiting Dnipro, Ukraine on a mission trip to help a Ukrainian family he met online. TREETT alluded the purpose of his trip was to do repairs on the Ukrainian family’s home.

8. SA Lydia Wilkens-Reed and SA Ricardo Garza responded to IAH and met with CBPOs who briefed the special agents concerning TREETT’s travel and Video 1.

9. SA Wilkens-Reed and SA Garza then conducted a recorded interview of TRETT. TRETT was advised of his Miranda Rights. TRETT was provided a written copy of the Miranda Warning and attested he understood his rights as were read to him and agreed to answer questions without the presence of an attorney.

10. TRETT was confronted by special agents about Video 1. TRETT admitted he had received Video 1 from a juvenile male hereinafter to be referred as “Minor Victim 1”. TRETT met Minor Victim 1 online and believed him to be 15 or 16 years of age.

11. On December 21, 2023, SA Wilkens-Reed transferred the device to Computer Forensic Analysts (CFA) Cody Hukill who completed a full border search of the device.

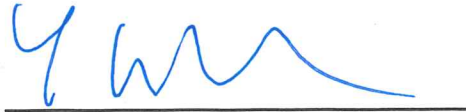
12. On January 2, 2024, SA Wilkens-Reed received the forensically recovered digital evidence obtained by CFA Hukill. SA Wilkens-Reed reviewed the forensic examination of TRETT’s iPhone 14 Pro Max and observed there were several additional files that meet the federal definition of child pornography, to include but not limited to:

- a. Title: “russ boy 2.mp4” – This approximately ten minute forty-four second video depicted a fully nude prepubescent Caucasian male approximately 10 to 12 years of age. The prepubescent male digitally and orally stimulated an adult Caucasian male’s erect penis. The adult male digitally stimulated the prepubescent male’s penis.
- b. Title: “IMG_6214.PNG” – This image was a cellphone screenshot from what appeared to be a 10 second video. The image depicted a prepubescent Caucasian male approximately 3 to 5 years of age lying on his back with a

fully nude prepubescent Caucasian male approximately 10 to 12 years of age straddling his upper chest. The older prepubescent male penetrated the mouth of the younger prepubescent male with his erect penis.

- c. Title: "IMG_2534.PNG" – This image depicted an adult Caucasian hand digitally penetrating the anus of a fully nude juvenile approximately 18 months to 2 years of age.

13. Based on the foregoing information, your affiant believes there is probable cause to believe on or about December 20, 2023, TRETT was in violation of 18 USC 2252A(a)(1), Transporting Child Pornography in Interstate or Foreign Commerce.



Lydia N. Wilkens-Reed
Special Agent
Homeland Security Investigations

SUBSCRIBED and SWORN to me, via telephone,
this 28th day of February 2024, and I find probable cause.



Yvonne Y. Ho
United States Magistrate Judge